



# THE MAILBOAT



VOLUME 12 NO. 2 2nd QUARTER 2006

The Town of Malabar got its 1st official Post Office and name on December 24, 1883 when R.A. Ward was named Postmaster by President Chester A. Arthur. Two times a week, the boat that travelled down the intracoastal waterway from Jacksonville, would deliver the mail to the palmetto shack post office along the river bank at Malabar. The mail was dumped on the counter for the population of 25 to shuffle through. With the coming of the railroad, in 1893, the mail boat was no longer needed.

## YOU CAN BE A PART OF MALABAR'S FUTURE!

All you need to do is drive down Malabar Road to see that Malabar is growing! Would you like to represent your constituents and contribute to Malabar's future? If you live in either District 1, District 2 or District 3, you can take an active part in shaping that future. The Council Member seats for Districts 1, 2 & 3 are up for election this November and **candidate qualifying begins August 18<sup>th</sup> and ends on September 1<sup>st</sup>**. Frank Hickson has held the District 1 seat for the past two years, Brian Vail has been in the District 2 seat for the past two years and Steve Rivet has been the Council Member for District 3 for the past six years. Due to Malabar's three-term limit Mr. Rivet is unable to run this November.

To be eligible to qualify you must be at least 18 years of age and able to prove that you have lived within the town limits for the past year. Qualifying consists of obtaining 15 signatures of registered voters from your district and filling out the necessary paperwork. The packets can be picked up at Town Hall. Confused about what district you live in? Look at the back page of this newsletter to determine your district, or look online at [www.townofmalabar.org](http://www.townofmalabar.org) and click on the Town Officials page.

Just a reminder that though you need to live within the district you wish to qualify for, in Malabar we vote 'at large' which means that all registered voters in Malabar will vote on all seats on November 7<sup>th</sup>.

### NOVEMBER REFERENDUM

Malabar registered voters will have more than just three Council seats to vote on this November. There will be two binding and a few non-binding referendums. At the time of the printing of this newsletter the non-binding referendums were still being discussed by Council.

#### Binding Referendum

The two binding referendums deal with two items in the Town's Charter. Most of you know that changing the Town's charter can only be done by a vote of the people. The first question covers how to fill a vacant seat on Council. Council wants to clarify how those vacant seats are handled. The ~~strike-out~~ verbiage in the next paragraph is the language to be removed from the charter and the underlined words are to be added.

#### Section 2.09 Filling of Vacancies (from the Malabar Charter)

If a vacancy occurs on the council or in the office of mayor and there is less than one (1) year before the next regular town election, remaining in that person's term, the council, by a majority vote of the remaining full council shall choose a successor to serve until the election is held to fill the vacancy for the unexpired term. The successor must have all qualifications as described in Sec-

(continued on page 4)

## Town Administrator Keeps You Informed

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By Ed Booth, Town Administrator

Hurricane season is around the corner. The Town staff, Fire Department and Town Council have been reviewing plans, getting the equipment ready and looking at creative ways to protect the Town. The town staff was recently audited by FEMA and came away without any deficiencies. This, I was told by FEMA, was quite an accomplishment.

For the past two months the Town of Malabar has been under a fire red flag watch. What this means to the Town's citizens is a burn ban, which takes a constant vigil by the Malabar Fire Department and Public Works. As of the writing of this article, there have been two notable brush fires. One burned 3 acres on the southwest side of town and the other was 125 acres off of Weber Road. With so much dry brush around, our threat from fires is great and it appears that the threat will continue for some time.

Growth continues to dominate much of staff time at Town Hall. The staff, the Town Council and the Planning and Zoning Board are committed to keeping Malabar rural residential. You can imagine with all the open land how many developers want to develop high density within the town. By sticking to the 1½ acre per unit zoning the property values have increased dramatically. Even though the Town Council is strictly maintaining the zoning requirement, substantial growth is occurring. Once the water and sewer lines are completed down US Highway 1 most of Malabar's growth will occur in this area. Highway

1 will not be lined with condos due to the limiting factor of sewer and water. We will only have a 10 inch line and there is just so much water that a line that size will carry.

Recently Paladin Shores condominiums was approved on the west side of US1 just north of the north-end of Rocky Point Road. It will have 114 units. Oakmont Preserve was approved at 1½ acres per unit along the east side of Marie Street south of Glatter Road with 58 units. And Stillwater Preserve is well under way at the northwest corner of Malabar Road and Corey Road. It was also approved at 1½ acres per unit and will build out at 74 units.

Eighteen hundred acres within the Town are set aside for preservation land. The Town has not had the proper zoning to allow for the preservation lands up to now. A change to our comprehensive plan will allow for S-1 Recreation Land, S-2 Green Space and S-3 Environmental Set-Aside Lands. The public will see no change but this will ensure in the future that the lands are not developed. The zoning will also require the owner of the land to maintain the land and remove the evasive plants. The Town owns 150 acres of preservation land. You may have noticed that the Town is working to bring our land into compliance with the proposed zoning. If we are going to make the other agencies comply, the Town must comply first. The real plus is the Town will have more environmental parks and those will look better.

## PASSED RESOLUTIONS & ORDINANCES

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These are the Resolutions and Ordinances that passed (none have failed) since the last newsletter:

Ord 2006-01	Site Lighting
Ord 2006-02	Adopting Building Codes
Ord 2006-03	Comprehensive Plan Land Use Map Change request
Ord 2006-04	Zoning Change request
Ord 2006-05	Amending building height to three stories
Ord 2006-06	Amending Article XVI, Subdivisions, in the Land Development Code
Ord 2006-07	Charter referendum for November Ballot
Ord 2006-08	Changing the Council seat candidate qualifying time
Res 22-2005	Supporting the incorporation of the Grant/Valkaria area
Res 25-2005	Water rate increase
Res 01-2006	Accepting the utility lines in the Stillwater Subdivision
Res 02-2006	Supporting the Florida League of Cities 2006 Legislative issues
Res 03-2006	Budget adjustment for general adjustments
Res 04-2006	Initiating Malabar as a 'Community for a Lifetime'
Res 05-2006	Budget adjustment for new fire department tanker

# Town Happenings . . .

## BREVARD COUNTY OFFICES MOVED/ REGISTER TO VOTE AT TOWN HALL

We were all used to having the Brevard County offices right down Malabar Road in Palm Bay but most of you know they have moved. The offices there included the Supervisor of Elections office, the Tax Collector's office (including Auto Tags), and the Property Appraiser's office. They have all moved to a new complex on Eldron Blvd. in south Palm Bay. Also available in this new complex is the Clerk of Court's office. And while the Town cannot help you with most County services there is one service we can provide: voter registration. If you need to register to vote for this November's election you must do so by October 10, 2006. If you are voting in a primary election this year you must register to vote by August 7, 2006. You can register to vote during normal business hours.

Directions to the new County facility at 2050 Eldron Blvd. SE, Palm Bay: head south on Babcock at the Malabar Road intersection, turn west (right) on Waco then south (left) on Emerson; Eldron will turn into Bayside Lakes Blvd. At the first traffic light you come to, make a left (this is Eldron Blvd.). The County facility will be on the right side of the road as you pass the shopping area.

## BOARD MEMBERS NEEDED

The Town needs YOUR involvement! Volunteering as a Board Member helps you keep up with Town activity and allows your input for our future! You must be a registered voter of the Town. Please volunteer for one of the following positions!

Board of Adjustment – two members needed for the alternate seats.

This Board meets on an "as needed" basis. You must be a resident for one year prior to applying.

Planning and Zoning – one member needed for the second alternate seat.

This Board meets twice a month, with meetings canceled and added as needed. You must be a resident of the Town to apply.

Park and Recreation Board – two members needed for the alternate seats.

This Board meets once a month. You must be a resident of the Town to apply.

## AUTOMATIC WATER UTILITY PAYMENTS AVAILABLE

To those of you who are on city water and would like to make sure that your monthly bill is paid without incurring any late fees, or if you are just tired of writing a check each month, we have your solution. Automatic utility bill payments are here and have been available to our utility customers since last September.

Some of you have already taken advantage of this service. For 50¢ a month this can be set up for you. If you are interested, please stop by Town Hall, with a VOIDED check. You will continue to receive your monthly statement and it will notify you of the date the funds will be deducted from your bank account. We all have enough to take care with our daily living; let the staff at Town Hall make your life a little easier. It's something to think about and it could save you late fees in the long run.

## BITS FROM THE BUILDING DEPARTMENT

The Malabar Building Department asks that you consider the following before Hurricane Season sets in:

**BEFORE** cutting down trees, **CALL US** to see if a permit is required. It's best to be safe, expensive to be sorry.

**PLAN AHEAD!** Rid your property of unwanted brush, trash, and loose items that could become missiles in a windstorm. This is for the safety of you and your property as well as that of your neighbors!

## NAME THAT PARK

The Town Council has authorized a \$50 savings bond for the winner of the best name for the new environmental park at Corey and Malabar Road. The winner will be selected at the 17 July 2006 Council Meeting. The Town Council will be the judges. So get your entry in and be a part of history.

tion 2.03. If more than one (1) year remains prior to the date of the next regular election, in that person's term that seat or office of mayor shall be filled by special election for the remainder of the unexpired term. The council shall schedule a special election to be held not sooner than sixty (60) days nor more than ninety (90) days, following the occurrence of the vacancy. Notwithstanding any quorum requirements established herein, if at any time the membership of the council is reduced to less than a quorum, the remaining members may, by majority vote appoint additional members until the vacancies are filled as provided herein.

If you vote yes regarding this issue in November then you are voting in favor of making these changes, if you vote no then you are voting that the changes should not be made.

The second question covers how best to handle eminent domain in Malabar. Eminent domain can be used by a government to acquire property for public use and the Town Council is concerned about the use of this power, they want to take a stand on this issue. They are proposing to add a new section to the charter:

Article X. Eminent Domain

Section 10.01 Limitations

Any real property acquired by the Town of Malabar through the exercise of the power of eminent domain shall not be conveyed, transferred, sold, leased, in whole or in part, with or without consideration, to any private person, entity or enterprise, whether such a person entity or enterprise operates for profit or not for profit, for a period of twenty five (25) years after title to the property is perfected in the Town.

Again, if you vote yes on the November ballot regarding this your vote will be in favor of adding this to the charter, a no vote will be for not adding it to the charter.

**Non-Binding Referendum**

In the last Mailboat there was a survey containing questions about safety and police protection in Malabar. Thank you to all of you who took the time to answer and return the survey. Many of you have

strong opinions regarding this issue and all the surveys were read and every comment considered.

How future police protection is handled will have a big impact on the Town and at the time of the printing of this newsletter the Council is considering adding a few non-binding referendum to the November ballot on this subject. The wording for those questions has not yet been determined but if they are to be on the ballot look for a special addition Mailboat shortly before the election that will contain a sample ballot containing the non-binding referendum questions as well as the binding referendum and the three Council seats.

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**EAGLE CORPS CITIZEN PATROL**

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HELLO MALABAR RESIDENTS!

Two things to talk about today –

#1 The rumor is not true! The Eagle Corps Citizens Patrol Program DOES NEED members who are not retired. It is acceptable to patrol past 5 p.m. on any given day and it is acceptable to belong if you don't patrol every week. Do thieves and robbers keep regular hours like 9-5? The unscheduled patrols are just as valuable as those scheduled.

Which brings me to the point: you live here; you're part of the community so why not help keep us safe? If you want to know more, please call 727-7764.

#2 – Vacation time is nearing and perhaps you don't know that the Eagle Corps Citizen Patrol Watchers will keep an (eagle) eye on your property while you are absent – we don't go in, we walk the premises and perform any reasonable requests that you may have; i.e., call a particular number if your pool looks green, call you if the cat looks the same color as the pool, etc. Sound good? If you are interested, stop by Town Hall (or call) to fill out a Vacation Request.

Until next time,  
We'll keep watching...

Nancy Conklin  
Coordinator, Eagle Corps Citizens Patrol

## HURRICANE SEASON

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It's almost upon us once again. It seems like we just took the boards off the windows, put the generators away and got back to normal life. Unfortunately, it's time to start getting ready again. We keep providing the same information to you each season, but in light of the past couple years it is very important each household be prepared.

With hurricanes, you do have time to prepare and make your homes as safe as possible. Even so, it is very easy to forget a basic step or forget to pack something that you or a family member may need if you must evacuate. Here are some basic emergency reminders:

1. **Develop a Family Plan**-Your family's plan should be based on your vulnerability to the Hurricane Hazards. You should keep a written plan and share your plan with other friends or family.
2. **Create a Disaster Supply Kit**-There are certain items you need to have regardless of where you ride out a hurricane. The disaster supply kit is a useful tool when you evacuate as well as making you as safe as possible in your home. Don't forget the all important prescription drugs that may need to be re-filled. If this is the case, call your doctor or pharmacists to get your prescriptions taken care of.
3. **Secure your Home**-There are things that you can do to make your home more secure and able to withstand stronger storms.
4. **Have a Place to Go**-If you are ordered to leave your home, please don't wait until the last minute. The longer you wait to leave, the more congested the traffic will be. Are you planning on going to a hotel/motel? Make your reservations ahead of time. Don't wait until the last minute to make reservations, you may find that there are no rooms available.
5. **Have a Pet Plan**-Contact your local veterinarian or local humane society for information on preparing your pets for an emergency.

We hope that this information will prove helpful during this stressful time of year. We are all hoping for an easy season. Please remember to be safe and cautious before, during and after any storm. Please stay wherever you may be riding out the storm until you have clear instructions that it is safe to go outside. We all are curious to see what is happening outside after a storm, but this could lead to a more disastrous situation if we don't follow instructions as provided by the local authorities.

You can get more information online at:  
[www.nhc.noaa.gov/HAW2](http://www.nhc.noaa.gov/HAW2).

## Stormwater Drainage In Malabar

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The communities of south Brevard County receive an average of 55" of rainfall annually. The majority of the precipitation occurs between June and October with the dry season typically from February until the end of May.

The soils in these southern communities are fine sands and generally percolate the water very slowly. The rainfall runoff accumulates and seeks the path of least resistance to lower ground through the swales, pipes and ditches. The Town has three major out-fall drainage paths to convey water to Turkey Creek along the northerly border, one to the east draining to the Indian River Lagoon and one outfall to the south into Goat Creek (all eventually flowing to the Indian River Lagoon).

The storm-water conveyance ditches, drainage pipes and swales along the public roadways typically have minimum slopes (due to the flat terrain) and in some instances, no slope. Many homes and land parcels are long distances from major storm-water runoff conveyances and the process of runoff takes weeks after a major rainfall event. Vegetation and sediment in the driveway culverts, roadside swales and town ditches contribute to slower rainfall runoff. Each homeowner should endeavor to maintain and keep clean the driveway culvert and swale fronting their home. Trash, lawn clippings and debris should never be placed in or near the drainage system.

Storm-water collection, storage and conveyance systems for new developments and building projects are generally regulated and permitted by the St. John's River Water Management District. The District requires post development runoff volume and peak discharge to be no greater than pre-development conditions. You will see many permitted systems with retention ponds, swales with blocks to detain the water and weirs to slow the water discharge. The goal is to have the water percolate into the soil or deposit nutrients prior to entering the drainage system

### THINGS YOU CAN DO TO IMPROVE STORMWATER RUNOFF QUALITY AND EFFICIENCY

- Keep the drainage system in front of your property mowed and clean
- Deposit lawn clippings, trash and debris clear of the drainage system
- Report blockage of swales or drainage pipes to the Public Works Division
- Support Town projects that improve drainage efficiency and water quality
- Fertilize lawns prior to the rainy season

## CHILI COOK-OFF/DESSERT BAKING CONTEST

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A Chili Cook-off/Dessert Baking Contest is being planned for the last weekend of October. This event will be taking place at the Malabar Community Park on Saturday, October 28<sup>th</sup>. Right now we are planning to begin the festivities at noon and continue until dusk. For those residents who wish to participate, we'll be entering the first 10 people to sign up at Town Hall for the chili cook-off. We are asking that you make your favorite recipe of chili (2 batches please) and come to the park ready to have your favorite chili recipe judged. All of the leftover chili will be sold, along with a bag of Fritos, for \$2.50, with the proceeds funding future Town-sponsored events.

The dessert portion of this event will be any one of your favorite desserts that you wish to make (please make 2 of the same dessert). The first dessert will be used for judging and the second of the same will be auctioned off sometime during the day. There is no limit to the amount of people who would like to participate in the dessert portion of the contest. All food is to be prepared at your homes and brought to the park ready for the judging, selling and auctioning off. There is no entry fee to join in the fun. Everyone is welcome to participate. Please keep in mind that we have limited space for the chili cook-off, so you need to register early. Ribbons will be awarded for the best three crock pots of chili and the best three desserts. The Town will be selling drinks during the day.

We have lots of fun planned for the day, including a lawn mower pull, a hayride, a carved pumpkin contest (read below), an egg carrying contest, a balloon toss and horseshoes. We have tried to plan something for every age group. Please mark your calendars for this special day in October. We are hoping to have some hometown fun for everyone. This event is smaller than the Springfest and we will only be advertising in the Malabar Mailboat, so watch your future Mailboat for more information.

We have two pumpkin carving age groups; one for 13 years of age to adulthood; and the other is for 12 years of age and under. Your pumpkin should be carved and ready for judging when you come to the park – parents, no carving for the kids! There will be NO carving of pumpkins in the park!

Come on out and have some fall fun. For the newcomers to Malabar, this is a great way to meet your neighbors and get to know a little of what Malabar is about. For any additional information, or if you have a great fall idea, call Town Hall and ask for Cindi. We look forward to this new addition to the calendar. If all goes well, it could become another great annual Malabar event!

P.S. if we get enough participants for the chili cook-off, we may just have two contest times. So don't delay, register today!!!

## TRASH BASH 2006

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An aggressive army of volunteers amassed an incredible 70,000 pounds of litter, tires, engine blocks and appliances. Sixty-one (61) concerned citizens donated their Saturday morning for the betterment of our community.

Boy Scout Troop 37, Cub Scout Troop 37, Girl Scout Troop 1476 and the Malabar Mariners were the backbone of this town's clean-up. Mike Linnell donated his time and backhoe to load the dumpsters. The Public Works crew of Malabar transported collected debris to the collection site in the Public Works yard. Sue Palmieri



and Annie Crane handled the administrative duties at Town Hall; which included serving 20 pizzas, provided by Poppa John's, and soda to everyone who participated.

This year, everyone who signed up had a chance to win a multitude of raffle prizes. The prize money from Keep Brevard Beautiful and proceeds from scrap sales will be donated to the Boy Scout, Cub Scout and Girl Scout Troops.

Thanks to everyone that made this event so successful.

# MALABAR SPRINGFEST 2006

What a huge success!!! To say the park was full during the course of the day is an understatement. As I was being instructed to go get more drinks and ice, I took a moment to stop and really look around me. What I saw was truly amazing. I don't think the park has ever had so many people in it at one time. I would like to thank everyone who participated in making this event what it turned out to be. It doesn't matter what part you played. Without everyone's assistance, this event would not have taken place. The list is too long to say a personal thank you to each one of you, but you all know who you are. A great time was had by all who visited the park.

Our photographer did a great job of catching "special" moments during the course of the day. All the pictures can be viewed on our website. Please take a moment and go to [www.townofmalabar.org](http://www.townofmalabar.org) click on photos and have a look see. You just might see yourself having a great time!

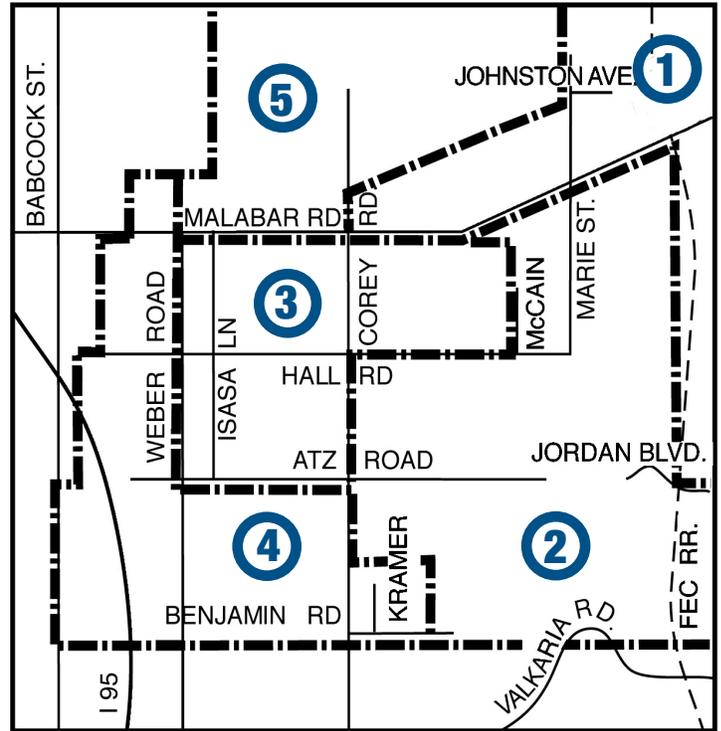
Once again, thanks to all of you for your support of this event. If you have some free time around the second weekend of April next year, we sure could use your assistance. We are looking for 50-100 volunteers for next year's event to make sure that we have all our bases covered. It takes a lot of man/woman power to keep things flowing smoothly. We would love to have your assistance along the way. If interested, please call me, Cindi Kelley, at Town Hall. We will be glad to put your talents to good use.



## Know Your Representatives on Council

The following Council members represent these districts:

District 1	Frank Hickson 2490 Nord St.	722-3882
District 2	Brian Vail 2700 Smith Lane	952-9110
District 3	Steve Rivet 2005 Rivet Lane	956-6551
District 4	Bobbi Moccia 3135 Kramer Lane	722-3447
District 5	Pat Dezman 1670 Country Cove	724-5817
Mayor	Tom Eschenberg 2835 Beran Lane	724-1007
Town Administrator	Ed Booth Town Hall	727-7764 x13
Town Clerk/ Treasurer	Susan Kabana Town Hall	727-7764 x12
Town Fax		722-2234
County Comm.	Helen Voltz, Dist. 3	952-6300
St. John's River Water Mgmt District		<a href="http://www.sjrwmd.com">www.sjrwmd.com</a>



Editor - Susan Kabana [www.townofmalabar.org](http://www.townofmalabar.org)

The printing of this newsletter was generously donated by Data Management.

